



783348

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Regulated Industries (Calatayud) recommended the following:

Senate Amendment (with title amendment)

Between lines 65 and 66

insert:

Section 3. Section 499.0095, Florida Statutes, is created to read:

499.0095 Toxic chemicals in cosmetics prohibited.-

(1) As used in this section, the term:

(a) "Ortho-phthalates" means esters of ortho-phthalic acid.

(b) "Perfluoroalkyl and polyfluoroalkyl substances" or



783348

11 "PFAS" means a class of fluorinated organic chemicals containing
12 at least one fully fluorinated carbon atom.

13 (2) Except as provided in subsection (4), beginning July 1,
14 2026, cosmetics manufactured, sold, offered or distributed for
15 sale, or distributed for use in this state may not contain any
16 of the following intentionally added chemicals or chemical
17 classes:

18 (a) Ortho-phthalates.

19 (b) PFAS.

20 (c) Formaldehyde or any other chemical determined by the
21 department to release formaldehyde.

22 (d) Methylene glycol.

23 (e) Mercury or mercury compounds.

24 (f) Triclosan.

25 (g) M-phenylenediamine or its salt derivatives.

26 (h) O-phenylenediamine or its salt derivatives.

27 (3) Except as provided in subsection (4), beginning July 1,
28 2026, cosmetics manufactured, sold, offered or distributed for
29 sale, or distributed for use in this state may not contain any
30 lead or lead compounds, whether intentionally added or naturally
31 occurring, at 1 part per million or above, or as otherwise
32 determined by department rule.

33 (4) An in-state retailer in possession of cosmetics on the
34 date that restrictions on the sale of the products take effect
35 under this section may exhaust its existing stock through sales
36 to the public until July 1, 2027.

37 (5) By January 1, 2026, the department, in consultation
38 with the Department of Health, shall use existing information to
39 identify and assess the hazards of chemicals or chemical classes



783348

40 that can provide the same or similar function in cosmetics as
41 the chemicals or chemical classes listed in subsection (2). The
42 department shall make the information publicly available on its
43 website.

44 (6) The chemicals in subsection (2) are prohibited in
45 cosmetics regardless of whether the product also contains drug
46 ingredients regulated by the United States Food and Drug
47 Administration.

48 (7) A violation of this section is grounds for disciplinary
49 action under s. 499.066.

50 (8) This section does not apply to ingredients regulated as
51 drugs by the United States Food and Drug Administration.

52 (9) The department shall adopt rules necessary to implement
53 this section.

54 (a) The department's determinations of chemicals that
55 release formaldehyde must be adopted by rule. The department
56 shall identify a list of chemicals used in cosmetics which
57 release formaldehyde which are subject to restriction under this
58 chapter. In establishing this list, the department shall
59 consider the following:

- 60 1. Estimated prevalence of use.
- 61 2. Potential to reduce disproportionate exposure.
- 62 3. Other information deemed relevant by the department.

63 (b) The department may identify for restriction an initial
64 set of no more than 10 of the listed chemicals used in cosmetics
65 which release formaldehyde. This restriction must take effect on
66 or after July 1, 2026.

67 (c) Restrictions on any remaining listed chemicals used in
68 cosmetics which release formaldehyde may take effect on or after



783348

69 July 1, 2027.

70 (d) In adopting rules under this section, the department
71 shall engage with relevant stakeholders for their expertise and
72 input. The stakeholder process must include, but is not limited
73 to, soliciting input from representatives from independent
74 cosmetologists, businesses offering cosmetology services, such
75 as beauty salons, and manufacturers of cosmetics. The input
76 received from stakeholders must be considered when adopting
77 rules.

78
79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Delete lines 2 - 8

82 and insert:

83 An act relating to chemicals in consumer products;
84 amending s. 499.003, F.S.; revising the definition of
85 the term "drug"; defining the term "vaccine or vaccine
86 material"; amending s. 499.007, F.S.; deeming a drug
87 misbranded if it is a food containing a vaccine or
88 vaccine material, but its label does not include
89 specified information; creating s. 499.0095, F.S.;
90 defining terms; prohibiting, beginning on a specified
91 date, the manufacture, sale, offer or distribution for
92 sale, or distribution for use of cosmetics that
93 contain specified add ed chemical ingredients;
94 providing an exception; requiring the Department of
95 Business and Professional Regulation (DBPR), in
96 consultation with the Department of Health, to make
97 certain determinations and make the information



783348

98 publicly available on its website by a specified date;
99 providing construction; providing for disciplinary
100 action; providing applicability; requiring DBPR to
101 adopt rules; specifying requirements for the adoption
102 of such rules; amending